

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILD HORSE EDUCATION, *et al.*,

Plaintiffs,

v.

U.S. BUREAU OF LAND
MANAGEMENT, *et al.*,

Federal Defendants.

Case No. 3:23-cv-00372-MMD-
CLB

**THIRD DECLARATION OF
BRUCE THOMPSON**

I, Bruce Thompson, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am the Wild Horse and Burro Specialist for the Bureau of Land Management (BLM) Elko District, in Elko, Nevada. I have held that position since February 2008 but have worked for the BLM for over 30 years. Before I became the Elko District Wild Horse and Burro Specialist, I worked as a Rangeland Management Specialist. I have also worked as a range technician for the U.S. Forest Service and as Forestry Aid-Technician for the U.S. Forest Service.
2. I have over 20 years of experience addressing wild horse management on public lands, as well as in conducting wild horse population inventories and health assessments, rangeland and riparian assessments, and ecological studies on BLM rangelands and riparian areas in Nevada. A significant amount of my career (approximately 13 years) was spent conducting these activities on approximately 1.8 million acres of land administered by the BLM Elko District in the Great Basin and Range of Nevada.
3. In my free time, I am an amateur wildlife photographer and I take great pleasure in viewing wildlife and wild horses on the public lands.
4. My desire to work with wild horses motivated me to accept a position as a BLM Wild Horse and Burro Specialist, caring for and ensuring the well-being of wild horses in northeastern Nevada.
5. My duties as a Wild Horse and Burro Specialist include administration and management of eight Herd Management Areas (HMAs) within the Elko District, including HMAs within the Antelope and Triple B Complexes. My duties include inventory and resource flights, monitoring wild horse conditions in the HMAs, evaluating and resolving escalating issues through use of appropriate measures. These measures can include, but are not limited to, water hauling and/or conducting an emergency gathers. I also collect data to ascertain wild horse impacts to rangeland resources and habitat components relevant to determining whether

Appropriate Management Levels (AMLs) require modification to ensure a thriving natural ecological balance.

6. While helicopter drive trapping is the primary and most effective method of gathering wild horses, water and bait trapping could be effective in specific areas and circumstances. The lack of water resources is very prevalent in the Antelope and Triple B Complexes which has led to more emergency water and bait gathers to address the lack of water.

7. In 2013, Elko BLM offered a one-day pre-gather public tour of a proposed water and bait trap site in the Maverick-Medicine HMA (<https://www.flickr.com/photos/blmnevada/albums/72157634865845094/>) and members of Wild Horse Education (WHE) attended the tour. The public tour included a designated area where the public could observe the gather site, which was located along a publicly accessible road. The gather site was approximately two miles from the viewing location. However, no public observers including WHE attended any of the gather operations during the 2013 event. BLM has not allowed access to observe and any temporary facilities following gathers that have used water and bait traps. There was no bait/water trap in the Triple B HMA in 2014 and I suspect Ms. Leigh's declaration refers to the 2013 tour referenced above.

8. I have been a Contracting Officer Representative (COR) or Incident Command (I.C.) for every bait and water trap gather within the Elko District since 2013. Since then, we have not allowed public visitation or viewing of wild horses during any active bait and water trap operations. This is because, as outlined in the Final Environmental Assessment for the Antelope and Triple B Complexes Gather Plan that was issued in 2017, wild horses are reluctant to approach a bait/water trap site when there is too much activity or people can be seen. Only essential gather operation personnel are allowed at the bait and water trap site during operations. Allowing public observation of a bait and water trap would interfere with the BLM's ability to capture wild horses and could be unsafe for the horses, BLM and contractor staff, and any public observers.

9. Since the 2017 gather plan, as the COR for water and bait gathers, I am not aware of any requests from the public or WHE to access the temporary holding facilities for wild horses gathered during these operations. Additionally, having public access and/or viewing of the temporary holding facilities for bait and water trap operations would interfere with gather efficiency and could cause safety issues for the public, the animals, and the BLM/contractor staff. Unlike helicopter gathers, which are conducted during daylight hours and allow for a designated viewing period at the end of the day once the horses have been fed and watered, water and bait trap gathers operate continuously, 24 hours a day. Because of the continuous nature of the operations, there is no fixed time during daylight hours after the animals are processed and settled for the public to visit. Due to the nature of these operations and in consideration of the safety of the animals, contractors, and BLM personnel, public viewing at temporary holding facilities is not permitted during water and bait trap gathers.

10. I understand that Plaintiffs have stated that they were unable to view wild horses at the "South Spruce" trap during the 2023 Antelope Complex-North gather. The South Spruce trap site was used on only three days: July 27, 28, and 30, 2023, after Antelope Complex-South gather operations ended, which allowed BLM to run two trap sites since a second helicopter and

crew became available. Unlike other trap sites, the South Spruce trap site is located in an area (Goshute Valley) that is relatively flat with limited geographical features allowing for places to hide vehicles. This area is located in the middle of where animals need to be gathered. The wild horses in this area are very flighty and will react to anything around. Additionally, the wild horses would be approaching from different directions around the trap. For their safety, it was important to avoid having any people around that could frighten them and lead to an unsafe situation. Also, because it was not possible to know from what direction the wild horses would approach the trap, the best way to ensure an effective and efficient gather (so that incoming wild horses would not be spooked by public observers) was to minimize the presence of people at this site, with the exception of those directing the horses via helicopter and horseback. Therefore, the public was **not** able to observe the horses at this location. However, public observation at the simultaneously run north trap, where the bulk of the horses were gathered on these days, was available on a daily basis. In other words, during the three days that the South Spruce trap was used, the public still had another trap site (the one where most of the horses were trapped) available to them for viewing. The South Spruce trap was dismantled and removed on August 1-2, 2023. I took the public (including WHE representatives) to tour the South Spruce trap on August 1, 2023, because of some observers' expressed interest in this site, though they were not able to observe the actual trapping operation because of the aforementioned safety and efficacy concerns.

11. During the gather in 2023 in the Antelope Complex, there was only one day when members of the public were unable to view horses as they were being trapped. On July 31, 2023, wild horses were gathered from an area outside the HMA. However, capturing those animals required setting up a trap that needed access to private land. The gather site is located along a natural travel corridor for wild horses, meaning that it would likely be a very effective place to gather animals. Due to the area's geographic features and the location of a group of horses outside the HMA, it was necessary to establish a trap site that could only be accessed via private land. This setup allowed for the effective and efficient capture of the horses while minimizing stress and ensuring safety for both the animals and gather personnel. The area is within checkerboard, meaning that every other section is private land. There is no other way to access the public land other than crossing private land. The landowner had granted the BLM and the contractor permission to use their private lands for the trapping operation, but the landowner denied any access for the public to enter their lands. **Exhibit A.** The only viable public observation area would have required that members of the public come onto and cross the private land. The WHE observer, Ms. Kaluza, showed up at the trap site the afternoon of July 31, 2023, but was informed that she could not observe the trapping because of the private land issues in this area. Ms. Kaluza then requested to view the operations from a location on public lands that would have been in front of the trap and where the incoming horses could have seen her. The BLM denied her request because she would have been in the way of the horses and the gather operations, posing a safety risk to the animals, contractor personnel, and herself.

12. I declare under penalty of perjury that the foregoing is true and correct to the best of my current knowledge, information, and belief.

BRUCE THOMPSON

Digitally signed by BRUCE
THOMPSON
Date: 2025.08.25 07:00:55 -07'00'

Bruce Thompson
Wild Horse Specialist
Elko District BLM

Third Declaration of Bruce Thompson Exhibit A

Moore, Jeffrey D

From: Joe Glascock <joe@winecupgambleranch.com>
Sent: Saturday, July 15, 2023 7:12 AM
To: Moore, Jeffrey D
Subject: [EXTERNAL] Wood Hills Gather

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Jeff,
I talked with Bruce regarding the upcoming horse gather in the Wood hills area and he has my permission to bring in the contractor and set up a trap on our private property. However, there will be no public allowed on our private property. I really appreciate you and Bruce getting the feral horses gathered off of our allotment. If you need anything, don't hesitate to ask.
Thank you again,

Joe Glascock

P.O. Box 249 Montello, NV 89830 | c. 775.388.0937

